

The Honorable Timothy W. Dore  
Chapter 7  
Hearing Date: November 6, 2015  
Hearing Time: 9:30 AM  
Hearing Location: US Courthouse /Seattle, WA  
Response Due: October 30, 2015

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

IN RE:

HEIDI STAFFORD AND TYSON  
STAFFORD,

Debtors.

Case No. 13-19709

Chapter: 7

Adv. Pro 14-01458

DEBTORS' MOTION FOR  
REQUEST FOR JUDICIAL NOTICE

HEIDI A. STAFFORD AND TYSON J.  
STAFFORD,

Plaintiffs,

v.

NAVIENT SOLUTIONS, INC, PNC BANK,  
N.A. AND NATIONAL COLLEGIATE  
TRUST

Defendants.

COMES NOW, the plaintiffs HEIDI A. STAFFORD AND TYSON J. STAFFORD  
("Staffords"), by and through their attorney Christina L. Henry of Henry, DeGraaff &  
McCormick, P.S. and requests that the Court take judicial notice of a docket, certain filings the  
plaintiffs have made in their underlying bankruptcy case that is directly related to this adversary  
proceeding, relevant internet articles and magazine articles and informational websites pursuant to

MOTION FOR REQUEST FOR JUDICIAL NOTICE

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Federal Rule of Civil Procedure 201. These relevant documents from the bankruptcy case are referenced by docket# or proof of claim# and/or attached hereto as Exhibits P-34 - and P-42.

Rule 201 allows the federal courts to take notice of matters of record in other court proceedings “both within and without the federal judicial system, if those proceedings have a direct relation to matters at issue.” *United States ex rel. Robinson Rancheria Citizens Council v. Borneo*, 971 F.2d 244, 248 (9th Cir. 1992) (internal citation omitted); *see also Reyn’s Pasta Bella, LLC v. Visa USA, Inc.*, 442 F.3d 741, 746, fn. 6 (9th Cir. 2006); *Bennett v. Medtronic, Inc.*, 285 F.3d 801, 803 (9th Cir. 2002) (judicial notice taken of amended complaint in another court); *Mullis v. U.S. Bankruptcy Court for Dist. of Nevada*, 828 F.2d 1385, 1388 n.9 (9<sup>th</sup> Cir. 1987) (judicial notice taken of documents filed in bankruptcy court). Rule 201 mandates that a federal court take judicial notice “if requested by a party and supplied with the necessary information.” Fed. R. Evid. 201(d). “Judicial notice may be taken at any stage of the proceeding.” Fed. R. Evid 201(f).

The Documents the plaintiffs ask the court to take judicial notice of are as follows:

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| P-34 | The IRS Collection Financial Standards (“Means Test”) <i>Means Testing: Census Bureau, IRS Data and Administrative Expenses Multipliers</i> , U.S. Trustee Program <a href="http://www.justice.gov/ust/means-testing/means-testing-cases-filed-or-after-may-15-2015">http://www.justice.gov/ust/means-testing/means-testing-cases-filed-or-after-may-15-2015</a> (updated June 10, 2015). <b>(See Relevant links)</b> |
| P-35 | <i>History of Brooks Institute</i> , <a href="http://www.brooks.edu/About-Brooks/History-Of-Brooks">http://www.brooks.edu/About-Brooks/History-Of-Brooks</a> (last visited August 2, 2015)  |
| P-36 | <i>Brooks Institute</i> , Wikipedia, <a href="https://en.wikipedia.org/wiki/Brooks_Institute">https://en.wikipedia.org/wiki/Brooks_Institute</a> (last visited August 2, 2015).   |
| P-37 | Bureau of Labor Statistics, U.S. Department of Labor, <i>Occupational Outlook Handbook, 2004-05 Edition</i> , Photographers, <a href="http://permanent.access.gpo.gov/lps4235/2004-05/2004-2005/ocos264.htm">http://permanent.access.gpo.gov/lps4235/2004-05/2004-2005/ocos264.htm</a> (last modified May 18, 2004)   |
| P-38 | Doug Lederman, <i>Calif. Reins In a For-Profit College</i> , InsideHigherEd, <a href="https://www.insidehighered.com/news/2005/07/20/brooks">https://www.insidehighered.com/news/2005/07/20/brooks</a> (July 20, 2005)  |
| P-39 | Gretchen Morgenson, <i>The School That Skipped Ethics Class</i> , The New York Times, <a href="http://www.nytimes.com/2005/07/24/business/yourmoney/the-school-that-skipped-ethicsclass.html">http://www.nytimes.com/2005/07/24/business/yourmoney/the-school-that-skipped-ethicsclass.html</a> (July 24, 2005)   |

|      |   |
|------|---|
| P-40 | Amar Toor, <i>Chicago Sun-Times trains reporters to shoot with iPhones after laying off all its photographers</i> , The Verge, <a href="http://www.theverge.com/2013/6/1/4386074/chicago-sun-times-cuts-entire-photography-staff-trains-reporters-iphone">http://www.theverge.com/2013/6/1/4386074/chicago-sun-times-cuts-entire-photography-staff-trains-reporters-iphone</a> (June 1, 2013) |
| P-41 | Kim Peterson, <i>Why Sports Illustrated laid off all of its photographers</i> , CBS News MoneyWatch, <a href="http://www.cbsnews.com/news/why-sports-illustratedcut-all-of-its-photographers/">http://www.cbsnews.com/news/why-sports-illustratedcut-all-of-its-photographers/</a> (January 26, 2015).  |
| P-42 | Bureau of Labor Statistics, U.S. Department of Labor, <i>Occupational Outlook Handbook, 2014-15 Edition</i> , Photographers, <a href="http://www.bls.gov/ooh/media-and-communication/photographers.htm">http://www.bls.gov/ooh/media-and-communication/photographers.htm</a> (published January 8, 2014).   |
| P-43 | Filed bankruptcy Petition and Schedules for Heidi and Tyson Stafford at time of original filing. <b>(DOCKET#1, 11, 12)</b>  |
| P-44 | Filed bankruptcy Petition and Schedules for Heidi and Tyson Stafford at the time of Conversion to Chapter 7 <b>(Docket# 59, 60)</b>   |
| P-45 | Heidi and Tyson Stafford's bankruptcy discharge order <b>(Docket # 72)</b>  |
| P-46 | Filed Proofs of Claim by Sallie Mae/Navient in this bankruptcy case. <b>(Proof of Claim# 8, 9, 10, 11, 12, 13, 14, 15)</b>  |

These documents illuminate matters that are “not subject to reasonable dispute,” and substantiate facts “capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201. Accordingly, the Staffords ask the Court to grant their Request for Judicial Notice.

Date: October 16, 2015.

HENRY, DEGRAFF & MCCORMICK, P.S.

By: /s/ Christina L. Henry  
Christina L. Henry, WSBA #31273  
Attorney for the Plaintiffs